

REMARKS

As a preliminary, Applicant and Applicant's representative thank the Examiner for the interview of July 15, 2008.

By the present amendment, claims 1 and 11 have been amended to recite that the stage in which the engine is returning to idling is a stage in which main injections are stopped and that the postinjections are interrupted so as to limit the quantities of fuel that are postinjected when temperature levels in the exhaust line are unfavorably low.

Support for the added recitations is found in the original application, for example, on page 1, line 35, and on page 5, lines 32-35, page 1, line 19 and page 2, lines 3-4.

Claims 1-20 are pending in the present application. Claims 1 and 11 are the only independent claims.

In the Office Action, claims 1, 2, 6, 11, 12 and 16 are rejected under 35 U.S.C. 103(a) as obvious over US 6,931,842 to Ohtake et al. ("Ohtake") in view of US 6,594,990 to Kuenstler et al. ("Kuenstler").

Further, in the Office Action, claims 3, 7, 13 and 17 are rejected under 35 U.S.C. 103(a) as obvious over Ohtake in view of Kuenstler and further in view of US 2002/0007629 to Asanuma et al. ("Asanuma").

Also, in the Office Action, claims 4-5, 8, 9, 10, 14-15, 18, 19 and 20 are rejected under 35 U.S.C. 103(a) as obvious over Ohtake in view of Kuenstler and further in view of US 4,655,037 to Rao ("Rao").

Reconsideration and withdrawal of the rejections is respectfully requested. As discussed

at the interview, even though Ohtake may monitor the accelerator pedal (sensor 32, col. 4, line 26) and may determine a set duration for the regeneration mode (step S41, col. 9, lines 15-20), this duration is fixed. Further, Ohtake is not concerned about the objective of the present invention, i.e., avoiding regeneration in the exhaust line when temperature levels are too low. Accordingly, Ohtake does not provide any motivation or incentive to detect “a stage in which the main injections are stopped and the engine is returning to idling as a result of the accelerator pedal being raised,” let alone determining a maximum duration for postinjections and interrupting the postinjections, as in the present invention.

In contrast, the presently claimed invention provides for:

- detecting a request for regeneration and thus for postinjection;
- detecting that the vehicle accelerator pedal is being raised;
- acquiring the temperature downstream from the oxidation catalyst;
- determining, on the basis of said temperature, a maximum duration for applying postinjections during a stage in which the main injections are stopped and the engine is returning to idling as a result of the accelerator pedal being raised; and
- immediately cutting off the postinjections as soon as the duration of postinjection use has reached the predetermined maximum duration of application during this stage in which the main injections are stopped and the engine is returning to idling as a result of the accelerator pedal being raised, so as to limit the quantities of fuel that are postinjected when temperature levels in the exhaust line are unfavorably low, as recited in present claims 1 and 11.

An advantage of the presently claimed invention is that it is possible to optimize effective

postinjections as a function of low exhaust temperatures and to reduce oil dilution, as discussed in the present specification, for example on page 6. These features of the presently claimed invention and their advantages are not taught or suggested in Ohtake, and the other cited references fail to remedy these deficiencies of Ohtake. Therefore, the present claims are not obvious over the cited references taken alone or in any combination.

Further, with respect to the dependent claims, it is submitted that the cited references fail to teach or suggest the combined features of each of these claims. Therefore, each of these respective claims is not obvious over the cited references taken alone or in any combination.

In view of the above, it is submitted that the rejections should be withdrawn.

Conclusion

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 502759.

Amendment
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Respectfully submitted,

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